

2007 Senate Bill 280

Date of enactment: **February 8, 2008**
Date of publication*: **February 22, 2008**

2007 WISCONSIN ACT 49

AN ACT *to renumber and amend* 66.0505; and *to create* 66.0505 (1) and 66.0505 (3) of the statutes; **relating to:**
authorizing an elective member of a political subdivision's governing body to refuse his or her salary.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0505 of the statutes is renumbered 66.0505 (2) and amended to read:

66.0505 (2) ESTABLISHMENT OF SALARY. An elected official of any ~~county, city, town or village~~ political subdivision, who by virtue of the office held by that official is entitled to participate in the establishment of the salary attending that office, shall not during the term of the office collect salary in excess of the salary provided at the time of that official's taking office. This provision is of statewide concern and applies only to officials elected after October 22, 1961.

SECTION 2. 66.0505 (1) of the statutes is created to read:

66.0505 (1) **DEFINITIONS.** In this section:

(a) "Elective officer" means a member or member-elect of the governing body of a political subdivision.

(b) "Political subdivision" means any city, village, town, or county.

SECTION 3. 66.0505 (3) of the statutes is created to read:

66.0505 (3) **REFUSAL OF SALARY.** (a) 1. Notwithstanding the provisions of s. 59.10 (1) (c), (2) (c), (3) (f) to (j), 60.32, 61.32, or 62.09 (6), an elective officer may send written notification to the clerk and treasurer of the political subdivision on whose governing body he or she

serves that he or she wishes to refuse to accept the salary that he or she is otherwise entitled to receive.

2. Except as provided in subd. 3., to be valid the notification must be sent no later than 30 days after an elective officer's election is certified, and the notification applies only to the taxable year in which the officer's election is certified or, if the elective officer's current taxable year ends within 3 months of his or her certification, the notification applies until the end of his or her next taxable year.

3. Except as provided in subd. 2., to be valid the notification must be sent at least 30 days before the start of the elective officer's next taxable year, and the notification applies only to that taxable year although the notification may be renewed annually as provided in this subdivision.

4. If a clerk and treasurer receive notification as described in subd. 2. or 3., the treasurer may not pay the elective officer his or her salary during the time period to which the notification applies. Upon receipt of such notification, the political subdivision's treasurer shall not pay the elective officer the salary that he or she is otherwise entitled to receive, beginning with the first pay period that commences after notification applies.

(b) An elective officer, or officer-elect, who sends the written notification described under par. (a) may not rescind the notification. If an elective officer's notification no longer applies, the political subdivision's trea-

* Section 991.11, WISCONSIN STATUTES 2005-06 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

surer shall pay the elective officer any salary that he or she is entitled to receive, beginning with the first pay

period that commences after the expiration of the notification.
